

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 06275-0188001	Application No. 09/367,950
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Tommy Ekstrom	
		Filing Date August 18, 1999	Group Art Unit 1617

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	1	5,684,199	11/04/1997	Francotte			

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	2	WO 92/11280	09.07.1992	WIPO				
	3	WO 98/15280	16.04.1998	WIPO				
	4	EP1085877	16.12.1999	Europe				
	5	WO 99/64014	16.12.1999	WIPO				
	6	EP0613371	06.03.2002	Europe				

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	7	Ankerst et al., "Tolerability of a High Dose of Budesonide/Formoterol in a Single Inhaler in Patients with Asthma," manuscript (24 pages), as submitted for publication to Pulm. Pharm. Ther. with letter dated February 6, 2003 to the EPO, later published as Vol. 16(3), pages 147-151 (2003).
	8	Ankerst et al., "Tolerability of a High Dose of Budesonide/Formoterol in a Single Inhaler in Patients with Asthma," Pulm. Pharm. Ther. Vol. 16(3):147-151 (2003) (abstract only).
	9	Arvidsson <i>et al.</i> , "Inhaled formoterol during one year in asthma: a comparison with salbutamol," The European Respiratory Journal, 4:1168-1173 (1991).
	10	Bjermer et al., "Long-acting β_2 -agonists: how they are used in an optimal way?," Respiratory Medicine, Vol. 91, pages 587-591 (1997).
	11	Bourbeau et al., "Randomised controlled trial of inhaled corticosteroids in patients with chronic obstructive pulmonary disease," Thorax, Vol. 53, pages 477-482 (1998).
	12	Clinical Practice Guidelines, Expert Panel Report 2, Guidelines for the Diagnosis and Management of Asthma, NIH Publication No. 97-4051, July 1997.
	13	Corden and Rees, "The effect of oral corticosteroids on bronchodilator responses in COPD," Respiratory Medicine, Vol. 92, pages 279-282 (1998).
	14	Ind et al., "Managed Adjustable closing of budesonide/formoterol combination provides equivalent asthma control to fixed dosing at a lower overall dose," European Respiratory Society Annual Congress (ERS) Stockholm, September 14-18, 2002, Poster Presentation, P2450, submitted to EPO with letter dated February 6, 2003.
	15	"FDA Recommends Easier-To-Take Asthma Drug" Florida Today, Associated Press, November 24, 1999.
	16	Haughney et al., "Adjustable maintenance treatment with budesonide/formoterol combination rapidly improves and maintains quality of life in asthma patients," European Respiratory Society Annual Congress (ERS) Stockholm, September 14-18, 2002, Poster Presentation, P379, submitted to EPO with letter dated February 6, 2003.

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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Other Documents (include Author, Title, Date, and Place of Publication)		
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	17	Letter from AstraZeneca to EPO dated 6 February 2003 in EP Application 99930103.9.
	18	Lipworth, "A Single High Dose of Budesonide Rapidly Reverses Bronchoprotective Subsensitvity and B ₂ -Adrenoceptor Down-Regulation in Patients Receiving Regular Formoterol," J. Allergy Clin. Immunol., Page S152, Section 629, January 1998.
	19	Lipworth, "Airway Subsensitvity with Long-Acting β_2 -Agonists," Drug Safety, Vol. 16(5), pages 295-308 (1997).
	20	Lipworth et al., "Effects of Treatment with Formoterol on Bronchoprotection against Methacholine," Amer. J. Med., Vol. 104, pages 431-438, (1998).
	21	Löfdahl et al., "Long-acting β_2 -adrenoceptor agonists: a new perspective in the treatment of asthma," The European Respiratory Journal, Vol. 4, pages 218-226 (1991).
	22	O'Byrne et al., "Additive Effects of Budesonide and Formoterol in Reducing Severe Asthma Exacerbations over 12 Months," abstract of presentation given at the June 1-5, 1997, Annual Meeting of Allergology and Clinical Immunology, published as abstract 266 in Allergy 52, Supp. 37-89 (1997).
	23	Olsson et al., "Adjustable maintenance treatment of asthma with budesonide and formoterol in a single inhaler," European Respiratory Society Annual Congress (ERS) Stockholm, September 14-18, 2002, Poster Presentation, P2451, submitted to EPO with letter dated February 6, 2003.
	24	Paggiaro et al., "Multicentre randomised placebo-controlled trial of inhaled fluticasone propionate in patients with chronic obstructive pulmonary disease," The Lancet, Vol. 351, pages 773-780 (1998).
	25	Price et al., "Budesonide/formoterol with an adjustable maintenance plan costs less and is as effective as fixed dosing," European Respiratory Society Annual Congress (ERS) Stockholm, September 14-18, 2002, Poster Presentation, P2452, submitted to EPO with letter dated February 6, 2003.
	26	Rosenhall et al., "Efficacy, safety and cost of budesonide/formoterol in a single inhaler compared with budesonide plus formoterol as separate inhalers", European Respiratory Society Annual Congress (ERS) Stockholm, September 14-18, 2002, Poster Presentation, P388, submitted to EPO with letter dated February 6, 2003.
	27	Scrip, The Dialog Corporation, 1562, page 21 (31 October 1990).
	28	Sung et al., "Randomized, Controlled Trial of Inhaled Budesonide as an Adjunct to Oral Prednisone in Acute Asthma," Academic Emergency Medicine, Vol. 5(3), pages 209-212 (1998).
	29	Tattersfield et al., "Exacerbations of Asthma A Descriptive Study of 425 Severe Exacerbations," Am. J. Respir. Crit. Care Med., Vol. 160, pages 594-599 (1999).
	30	Wempe et al., "Effects of corticosteroids on bronchodilator action in chronic obstructive lung disease," Thorax, Vol. 47, pages 616-621 (1992).
	31	Decision of the EPO Opposition Division regarding patent EP-B-1210943, dated December 5, 2008.
	32	Statement of Grounds of Opposition to patent EP1085877 by Vectura Limited, received at the EPO on December 17, 2008.
	33	Statement of Grounds of Opposition to patent EP1085877 by Generics Limited, received at the EPO on December 19, 2008.

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	34	Statement of Grounds of Opposition to patent EP1085877 by Norton Health Care Limited, received at the EPO on December 19, 2008
	35	Statement of Grounds of Opposition to patent EP1085877 by Ratiopharm GmbH, received at the EPO dated on December 17, 2008, translation attached.
	36	Response by Astra to EPO, dated November 22, 1995.

Examiner Signature /Jennifer Kim/	Date Considered 06/20/2009
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